

make expert witnesses expected to testify at trial available for depositions no later than September 1, 2010.

(2) Defendants shall disclose all expert witnesses and provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than September 15, 2010 and shall make expert witnesses available for deposition no later than October 15, 2010.

(3) Plaintiff shall disclose rebuttal experts and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than November 15, 2010 and shall make rebuttal experts available for depositions no later than November 30, 2010.

- (c) The presumptive limit of twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed.R.Civ.P., shall apply. The presumptive limit of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed.R.Civ.P., shall apply.
- (d) The parties anticipate that there will be no requests for physical or mental examinations of parties pursuant to Rule 35, Fed.R.Civ.P.; however, any motions for such examinations shall be made by August 2, 2010.
- (e) The parties shall complete all discovery in this case no later than December 23, 2010.

4. The parties believe that referral of this action to Alternative Dispute Resolution would not be useful.
5. Any dispositive motion must be filed no later than February 11, 2011. Any response shall be filed no later than 21 days after the filing of the dispositive motion. Any reply shall be filed no later than 14 days after the response.

II. Trial

The parties submit that this case will be ready for a bench trial on or after July 1, 2011. It is anticipated that the length of time to try the case to verdict is approximately two days.

Respectfully submitted,

/s/ Anthony E. Rothert
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CERTIFICATE OF SERVICE

I certify that a copy of the forgoing was served upon all parties of record by operation of the CM/ECF system on June 24, 2010.

/s/ Anthony E. Rothert